



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8
999 18TH STREET - SUITE 500
DENVER, CO 80202-2466

001 2 0 1998

Ref: 8EPR-ER

MEMORANDUM

SUBJECT: Vasquez Boulevard and Interstate 70 Superfund Site

FROM: Max H. Dodson, Associate Regional Administrator
Office of Ecosystem Protection and Remediation

A handwritten signature in black ink, appearing to read "Max H. Dodson".

THRU: Tim Fields, Acting Assistant Administrator
Office of Solid Waste and Emergency Response
Mail Code 1101

TO: Peter Robertson, Acting Deputy Administrator
Mail Code 1101

Attached is a summary of background information and issues regarding the Vasquez and Interstate 70 Colorado Superfund site that we have discussed with you in the past.

It is the position of Bill Yellowtail, Regional Administrator, that this site should be listed on the NPL because of the significant and wide-spread environmental and public health concerns we have found and because of the significant funding issues that will be associated with undertaking a cleanup at this site (See Attachment 1, Executive Summary of Site). However, the State of Colorado and the City and County of Denver have not supported a listing to date and continue to pursue other options for dealing with site cleanup.

One option that has gained some popularity involves site cleanup without a listing utilizing non-time critical removal funds. Our research indicates that utilizing non-time critical funds for a site where it is anticipated that site cleanup costs will exceed two million dollars and 12 months in duration is problematic in that there appear to be significant obstacles to meeting the statutory criteria for obtaining an exemption from these limits (See Attachment 2), and should not be pursued at this site or others like it. Another option being considered by the State involves expanding the boundary of the nearby state lead Globeville Smelter site utilizing NRD authorities. We are currently researching the legal viability of this approach and the probability of the Globeville responsible party agreeing to undertake a cleanup of this magnitude based on this legal authority.



I believe it is also important that reaction from the community has been supportive of an NPL listing. This reaction is based primarily on the community's belief that an NPL listing will insure adequate funding that will support a more complete site cleanup and provide increased community involvement, including the availability of a TAG grant.

Our most significant concern at this point is the potential use of non-time critical funds to cleanup sites similar to Vasquez in Region 8 or at other locations nationally. We believe that making this type of funding decision will severely jeopardize the Agency's goal of substantially increasing the future number of NPL listings.

We believe that there is a strong possibility that the Governor of Colorado and/or members of the Colorado delegation will approach the Administrator regarding this funding issue. For this reason I am requesting that you brief the Administrator as soon as possible and express our concerns. We are willing to support you in any way possible in this regard and would be happy to come to HQ or participate by phone if you think that would be helpful.

Please call me at 303/312-6598 if you have questions or if we can provide additional support. Thanks for your assistance.

Attachments

cc. Tim Fields (w/attachments)
Bill Yellowtail (w/attachments)
Jack McGraw (w/attachments)
Steve Luftig (w/attachments)
Tom Sheckells (w/attachments)

ATTACHMENT 1

EXECUTIVE SUMMARY

VASQUEZ BOULEVARD AND INTERSTATE 70 SITE

Executive Summary

Vasquez Boulevard and Interstate 70 Site

EPA Region VIII

Adams and Denver Counties, Colorado

Issue: EPA Region VIII is seeking to get concurrence from the Governor of Colorado for listing a site on the NPL. Discussions with the Director of the Colorado Department of Public Health and Environment (CDPHE) have resulted in a general opposition to listing and the desire to cleanup the site outside of NPL listing. A letter requesting the position of the state on NPL listing was sent on October 9, 1998 (see Attachment 3).

Background: The site is a residential area called the Vasquez Boulevard/Interstate 70 Site (VBI70), consisting of all or part of the low income, high minority communities of Elyria, Swansea, Clayton, Cole and Globeville. Recently collected surface soil data, consisting of more than 5,000 soil samples from parks, schools and residences indicate the presence of elevated levels of arsenic and, to a lesser extent, lead associated with historic smelter activity in the North Denver area from the 1870's through the 1950's. Results indicate that arsenic levels in more than 300 residents' yards exceed preliminary criteria for soil removal. Children who play in areas with poor ground cover or stressed vegetation are at increased risk through incidental ingestion of soil and dust. EPA believes that the levels of these metals may present an unacceptable risk to human health and the environment.

EPA is currently planning a time critical removal of soil from 21 residential properties that exceed a removal action level established in consultation with EPA toxicologists. These levels of arsenic may pose an imminent and substantial endangerment to human health following short term (six months to 10 years) exposure. However, the time critical removal program limits the amount of funds available and the time frame for removal actions. In order to address long term remedial actions at this site which will require more than \$2 million to fund and exceed one year to complete, other funding mechanisms must be brought into play.

Throughout the investigation of the VBI70 Site, EPA has maintained close communications with CDPHE, the City and County of Denver (CCD) and the community. During the course of these communications, alternatives have been discussed with CDPHE, CCD and the community for funding the remedial action after time critical removal actions have been completed. (see Attachment 4, Alternatives)

Reaction from the community has been supportive of NPL listing. Concerns expressed include: getting a good cleanup for their community, having the community involved in the decision making process, and the availability of technical assistance grants. At a site meeting on September 25, 1998, a community leader stated that at a recent neighborhood meeting for the affected communities, there was "unanimous support for NPL listing."

Options:

NPL Listing: Region VIII believes this to be the best option for this site to ensure community involvement, appropriate cleanups and priority for superfund cleanup funding. Where there are financially viable PRPs, EPA plans to work with those parties to conduct the RI/FS and RD/RA, or portions thereof. Because of the number of residents that are exposed to arsenic contamination at this site, the site qualifies for proposal to the NPL and priority funding under Superfund.

EPA Region VIII believes this site is an excellent opportunity to demonstrate the improved Superfund process through the use of a pilot project that will include innovative approaches associated with streamlining NPL listing, quick and cost effective cleanups, addressing NPL stigma through strong community involvement and accurate and timely information, and a partial deletion process to remove properties from the NPL and quickly as possible. (see Attachment 5, NPL Listing/Deletion)

Preliminary indications from the most viable responsible party indicate that they prefer involvement, if any, to be done as part of an NPL listing primarily as a result of their desire to receive covenants not to sue which will provide more certainty regarding future liability.

PRP Voluntary Cleanup: Although EPA has some preliminary indication that PRPs may exist for the Vasquez site, those parties may not be responsible for a significant amount of the contamination at the site. No parties have volunteered to conduct the investigation and cleanup at this time.

EPA Region VIII opposes the use of voluntary cleanup programs for high risk NPL caliber sites. The Memorandum of Agreement between the region and Colorado provides for an exclusion of high risk sites. Region VIII believes this site to be a high risk and not appropriate for a voluntary cleanup.

Non-Time Critical Removal Option: CDPHE has suggested that this option be pursued as the first option for cleanup of this site. Cleanup costs are expected to be \$6 to \$10 million. CDPHE has voiced strong objections to NPL listing. This position may be taken by the Governor and Congressional Representatives who may push for this option to Administrator Browner or others.

Region VIII is concerned over the precedent of using trust fund money to pay for large cost non-time critical removals. Region VIII states will likely never support NPL listing if the trust fund is available for large cleanups without listing. There are several potentially large cost (\$10-\$50 million) cleanups coming in the near future in this region.

We believe that these regional concerns will also apply on a national basis, and if not adequately addressed, will send a strong negative signal nation-wide regarding the future of the NPL listing process and all of superfund as we now know it.

SITE SUMMARY

The I-70 and Vasquez Site covers an area of approximately 409 acres in northeast Denver, Colorado. On July 16, 1997, the Colorado Department of Public Health and Environment (CDPHE) collected 25 soil samples from residential yards in the Elyria and Swansea neighborhoods situated to the north of the elevated portion of Interstate 70. The specific study area included the 4600 and 4700 blocks of Williams Street, Race Street, and Vine Street; the 4600 block of Franklin Street and Baldwin Court; the 4700 block of Fillmore Street and Gaylord Street; and the 4800 block of St. Paul Street.

Analysis of these 25 soil samples indicated levels of arsenic ranging from 12 parts per million (ppm) to 1,300 ppm, cadmium ranging from 1.8 ppm to 12 ppm, and lead ranging from 61 ppm to 660 ppm. The discovery of these concentrations prompted the need to further investigate the extent of arsenic, cadmium, and lead present in soils in this region of North Denver.

Subsequent investigations were performed by URS Operating Services, Inc. These investigations included the collection of a total of 3,550 soil samples from parks, schools, and residences in the aforementioned neighborhoods. UOS analyzed all 3,550 soil samples utilizing an TN Spectrace 9000 X-Ray Fluorescence Spectrometer (XRF). UOS submitted roughly ten percent of the samples to independent laboratories for confirmation analysis. The data resulting from the laboratory analysis were utilized to delineate an area of observed arsenic contamination in surface soils encompassing approximately 407 acres.

An evaluation of residences within the area of observed soil contamination indicates that there are an estimated 287 individuals subject to arsenic concentrations exceeding the Cancer Risk Screening Concentration, Health Based Benchmark. In addition, there are an estimated 2,172 people living within the area of inferred contamination who may be exposed to surficial arsenic contamination.

ATTACHMENT 2

REMOVAL FUNDING LIMITATIONS WITHOUT NPL LISTING

Removal Funding Limitations Without NPL Listing

Pursuant to section 104(a) of CERCLA, EPA is authorized to take removal and remedial actions to address a release or substantial threat of release of a hazardous substance into the environment. CERCLA Section 104(c)(1) states that Fund-financed removal actions shall not continue after \$2 million has been obligated for the response actions or 12 months have elapsed from the date of the initial response. There are 2 exceptions to this limitation. If the President finds that either: "(i) continued response actions are immediately required to prevent, limit or mitigate an emergency, (ii) there is an immediate risk to public health, welfare or the environment, and (iii) such assistance will not otherwise be provided on a timely basis;" or that "continued response action is otherwise appropriate and consistent with the remedial action to be taken," the President can extend the time or dollar threshold and continue the removal action. When performing non-time critical removals, EPA guidance states that "Regions must always follow the existing rules for justifying and obtaining exemptions for removal actions estimated to cost over \$2 million or exceed one year in duration." See, "Early action and Long Term Action Under SACM - Interim Guidance," Publication 9203.1-05I (December 1992).

Non-time critical removals, by definition, will most likely not meet the criteria of the first exemption. Since a 6-month planning period is presumed, it is difficult to foresee instances when non-time critical actions would be taken to "immediately" address an emergency. Extending the time and dollar thresholds for non-time critical removals based on the second "consistency" exemption is justified under the statute and in accordance with the NCP based on the presumption that a remedial action will be taken as a final action. Failure to ultimately take a remedial action (even if that remedial action selects a No-Action alternative) may have the effect of eliminating the justification for the exemption. And continuing to fund the non-time critical removal above the \$2 million or 1 year limitation without the expectation of performing a follow-up remedial action may indeed violate the CERCLA law.

ATTACHMENT 3

LETTER TO GOVERNOR OF COLORADO

CONCERNING

POTENTIAL LISTING OF VASQUEZ SITE



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

**999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2466**

OCT - 9 1993

**The Honorable Roy R. Romer
Governor
State of Colorado
Denver, CO 80203**

Dear Governor Romer:

I am writing to ask for your support in proposing a new Colorado site, a residential community with high levels of arsenic and lead near Interstate 70 and Vasquez Boulevard in Denver, to the Superfund National Priorities List (NPL). The NPL is a list of the nation's highest priority hazardous waste sites established under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as "Superfund." Since listing the last site in Colorado it has become EPA policy to request the concurrence of the Governor prior to submitting a listing package to EPA Headquarters and try to reach an agreement between EPA and Colorado on an NPL listing decision. A decision on whether to propose the site will then be made with a clear understanding of your position. Final listing of the site will make it eligible for the Superfund Trust Fund to pay for cleanup in a timely and efficient manner, utilizing existing data to expedite the Remedial Investigation and ultimate cleanup of arsenic and lead contaminated soil from this community through a Remedial Action.

The site is a residential area called the Vasquez Boulevard/Interstate 70 Site, consisting of all or part of the communities of Elyria, Swansea, Clayton, Cole and Globeville. Recently collected surface soil data, consisting of more than 5,000 soil samples from parks, schools and residences indicate the presence of elevated levels of arsenic and, to a lesser extent, lead associated with historic smelter activity in the North Denver area from the 1870's through the 1950's. Results indicate that arsenic levels in more than 300 residents' yards exceed preliminary criteria for soil removal. These levels of arsenic may pose an imminent and substantial endangerment to human health following short term (six months to 10 years) exposure. Children who play in areas with poor ground cover or stressed vegetation are at increased risk of exposure through incidental ingestion of soil and dust. EPA believes that the levels of these metals may present an unacceptable risk to human health and the environment. Final risk evaluations for hazardous waste sites are established through a formal risk assessment process.

EPA is currently planning a time critical removal of soil from 21 residential properties that exceed a soil action level established in consultation with EPA toxicologists. The removal program limits the amount of funds available and the time for removal actions. In order to address remedial actions at this site, other funding mechanisms must be brought into play. Where there are financially viable Potentially Responsible Parties (PRPs), EPA works with those parties to plan, carry out or



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fund the Remedial Investigations and Remedial Actions, such as soil sampling and removal. Although EPA has some preliminary indication that PRPs may exist for the Vasquez site, those parties may not be responsible for all remediation at the site. In cases such as this, the Superfund Trust Fund is necessary to ensure that cleanup proceeds quickly and that any costs to be incurred beyond those that are the responsibility of PRPs can be funded. In order to prioritize a site from the Trust Fund, according to the procedures required by CERCLA, the site must qualify for the National Priorities List by scoring greater than 28.5 in the Hazard Ranking System (HRS). Because of the number of residents that are exposed to arsenic contamination at the Vasquez Boulevard/ Interstate 70 Site, EPA is proposing that the threshold of a 28.5 HRS score has been exceeded. This qualifies the site for proposal to the NPL and priority funding under Superfund.

Throughout the investigation of the Vasquez Boulevard/ Interstate 70 Site, EPA has maintained close communications with the Colorado Department of Public Health and the Environment (CDPHE), the City and County of Denver (CCD) and the community. During the course of these communications, strategies have been discussed with CDPHE, CCD and the community on the funding of the Remedial Investigation and Remedial Action after time critical removal actions have been completed. Assuming EPA is unable to obtain a PRPs' agreement to perform the necessary cleanup activities, listing on the NPL will ensure an expedited cleanup while providing EPA the opportunity to recover these funds from PRPs in the future. NPL listing would also facilitate Technical Assistance Grants to the community, as well as establish a definitive time frame for cleanup.

I would appreciate your support regarding this proposed action so that we can be more responsive to residents of the area and proceed with the cleanup of the Vasquez Boulevard/ Interstate 70 site with the understanding that the State of Colorado and EPA are unified in resolving this environmental threat to our community. I am requesting your written response within 30 days of the date of this letter. If you have any questions, or would like to meet to discuss this matter, please call me at 303-312-6308.

Sincerely,



William P. Yellowtail
Regional Administrator

cc: Wellington Webb, Mayor
Debbie Ortega, Denver City Council
Hiawatha Davis, Denver City Council
Timothy Fields Jr., EPA
Patti Shwayder, CDPHE



ATTACHMENT 4

ALTERNATIVES FOR VASQUEZ SITE

Alternatives for I-70 Vasquez Site

TIME CRITICAL REMOVAL

PRO

- 1) Quick to implement
- 2) Easy

CON

- 1) Doesn't fit with current policies
- 2) Expensive
- 3) Higher action levels
- 4) Less community involvement requirements
- 5) Doesn't meet definition of time-critical

CITIZEN SUIT

PRO

- 1) Powerful tool that can get additional work
- 2) Doesn't limit other approaches
- 3) Citizens are in control of their own destiny

CON

- 1) Takes local, state, and federal health agencies out of picture; they might not be able to provide much support
- 2) Risk of losing case
- 3) May need to spend money to prepare case

REMOVAL - NON TIME CRITICAL

PRO

- 1) Less time
- 2) No state cost
- 3) Less Superfund stigma
- 4) Fewer requirements to follow

CON

- 1) Possible lesser cleanup standards
- 2) Less community involvement
- 3) No TAGs
- 4) Less assurance of funding
- 5) Must petition for ATSDR involvement
- 6) Less standing for community
- 7) PRPs don't get covenants
- 8) Likely to make future NPL listings much more difficult

VOLUNTARY AGREEMENT

PRO

- 1) Low transaction costs
- 2) No taxpayer money spent
- 3) Less stigma

CON

- 1) Low doability - PRPs not fully identified
- 2) Less community involvement
- 3) No ATSDR unless asked
- 4) Less leverage to get quality cleanup

CONSENT DECREE WITH ASARCO

PRO

- 1) Already in place and working
- 2) Benchmark action levels already established
- 3) May be able to accomplish without reopening
- 4) Community involvement already established
- 5) Medical monitoring

CON

- 1) Doubtful cooperation from ASARCO
- 2) ASARCO may not be liable for all contamination
- 3) ASARCO will want to renegotiate other items at same time
- 4) Court may decide that boundary cannot be expanded under ongoing dispute resolution process.

CITY ORDINANCE

PRO

- 1) No short-term impacts
- 2) No listing stigma
- 3) Low capital costs
- 4) Maintains local control

CON

- 1) Questionable long-term effectiveness
- 2) Puts burden on homeowner
- 3) Homeowners pay for solving problem they didn't create
- 4) Stigma from contamination remains
- 5) Community support unlikely
- 6) Denver incurs costs

REMEDIAL ACTION - LIST

PRO	CON
1) More citizen involvement	1) Timeliness not proven
2) ATSDR involvement	2) Perceived stigma on community from being a Superfund site, but there is stigma until contamination cleaned up
3) TAG	3) Property transfer made difficult until cleanup done
4) More assurance of cleanup funds	4) More costly than some alternatives
5) Stringent cleanup	5) Lots of requirements that must be followed
6) Long-term solutions	6) Highly structured
7) Account for future land use	7) Remedy decisions made by EPA
8) Possible benefits derived from attention, including federal grants	
9) Certainty of cleanup	
10) Covenants available to PRPs	
11) Enables partnership with community	

REMEDIAL ACTION - PROPOSED

PRO	CON
1) Less possible stigma	1) Same cons as listing
2) Similar to listing except 4	2) No fund money available
3) No need to delist at end	3) Uncertainty whether viable PRPs exist to fund entire cleanup

PILOT PROJECT- REMEDIAL CLEANUP, NO LIST

PRO	CON
1) Access funds without stigma of listing	1) Unknown results due to lack of history
2) All benefits of listing without the negatives	2) Cleanup funds may not be forthcoming
	3) Needs EPA upper management out front agreement
	4) May require waiver of NCP requirement on use of Fund for non-NPL sites

ATTACHMENT 5

NPL LISTINGS /DELETIONS

Vasquez Boulevard I-70 Site

NPL Listing/Deletion

What is NPL Listing?

The National Priorities List (NPL) is a list of prioritized sites EPA has identified for Superfund Cleanup. The NPL listing identifies a site name and describes the "release" that has occurred. The NPL listing does not define the site boundaries and what properties are specifically included or not included in the NPL site. Overcoming any stigma related to the NPL designation is best countered with facts and information.

Site Boundaries - In or Out?

The site boundaries become defined by where "contamination has come to be located." A detailed investigation is conducted to delineate site boundaries, usually after a site is listed on the NPL. Final site boundaries and identifying what properties are included in the NPL site for cleanup is usually stated in a Record of Decision (ROD) for the site. The ROD sets forth the cleanup levels and cleanup plans for the site.

Time Frame Listing vs Site Boundary Determination

NPL proposal could occur by January, 1999. Following the 60 day public comment period and response to comments by EPA, final listing could occur as early as September, 1999. Efforts are currently underway to further define the site boundaries and specifically which properties will need cleanup. EPA expects that by the time the site is actually listed on the NPL the site boundaries for residential cleanup will be defined. At this time, accurate site maps can be produced showing which properties are included and which are not included in the site. If needed, letters can be sent to property owners whose properties do not require cleanup which will clearly state they are not part of the superfund site.

Comfort Letters

For properties where cleanup is needed, EPA will provide letters stating any facts about cleanup plans, contamination levels, time frames for cleanup, or completion of cleanup. These letters have proven at other sites to alleviate many concerns on the part of property owners, buyers, sellers and lenders related to liability, health hazards and cleanup of affected properties.

Deletion/Partial Deletion

Sites may be deleted from the NPL when "...all appropriate response has been implemented and no further response action is appropriate." EPA, in a November 1, 1995 policy memo (see Attachment 4), has also determined that parts of a site that have been cleaned up may be deleted through a partial deletion, including residential units. This is a formal process that involves publication in the Federal Register and takes about 4 months. Partial deletion will be used at this site where it is appropriate and will reduce any stigma on the community.

cc: Elliot Laws, OSWER
Tim Fields, OSWER
Jerry Clifford, OSRE
OERR Center Directors
Information Management Coordinators, Regions I-X
Site Assessment Contacts, Regions I-X

Attachments

ATTACHMENT A Partial Deletion Policy Federal Register Notice

[Federal Register: November 1, 1995 (Volume 60, Number 211)]
[Rules and Regulations]
[Page 55466-55467]
From the Federal Register Online via GPO Access [wais.access.gpo.gov]
[DOCID:fr01no95-13]

40 CFR Part 300

[FRL-5323-8]

Notice of Policy Change: Partial Deletion of Sites Listed on the National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Notice of policy change.

SUMMARY: The Environmental Protection Agency (EPA) is changing its policy concerning deletion of sites listed on the National Priorities List (NPL), or Superfund sites. EPA will now delete releases of hazardous substances at portions of sites, if those releases qualify for deletion. Sites, or portions of sites, that meet the standard provided in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), i.e., no further response is appropriate, may be the subject of entire or partial deletion. EPA expects that this action will help to promote the economic redevelopment of Superfund sites, and will better communicate the completion of successful partial cleanups.

EFFECTIVE DATE: November 1, 1995.

FOR FURTHER INFORMATION CONTACT: Hugo Paul Fleischman, (5203G), U.S. Environmental Protection Agency, 401 M St., S.W., Washington, D.C. 20460; (703) 603-8769. An alternative contact is the Superfund Hotline; 1-800-424-9346 (TDD 800-553-7672), or in the Washington, D.C. area, (703) 412-9810, (TDD 703-412-3323).

SUPPLEMENTARY INFORMATION: With State concurrence, EPA may delete sites from the NPL when it determines that no further response is appropriate under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). See 40 CFR 300.425(e). In making that determination, EPA typically considers: whether responsible or other parties have implemented all appropriate and required response actions; whether all appropriate Fund-financed responses under CERCLA have been implemented and EPA has determined that no further cleanup by responsible parties is appropriate; or whether the release of hazardous substances poses no significant threat to the public health, welfare or the environment, thereby eliminating the need for remedial action. To date, EPA policy has been to delete releases only after evaluation of the entire site. However, deletion of entire sites does not communicate the successful cleanup of portions of those sites. Total site cleanup may take many years, while portions of the site may have been cleaned up and may be available for productive use. Some potential investors or developers may be reluctant to undertake economic activity at even a cleaned-up portion of real property that is part of a site listed on the NPL. Therefore, EPA will delete portions of sites, as

appropriate, and will consider petitions to do so. Such petitions may be submitted by any person, including individuals, business entities, States, local governments, and other Federal agencies. Partial deletion will also be governed by 40 CFR 300.425(e). State concurrence will continue to, thus, be a requirement for any partial deletion.

EPA will consider partial deletion for portions of sites when no further response is appropriate for that portion of the site. Such portion may be a defined geographic unit of the site, perhaps as small as a residential unit, or may be a specific medium at the site, e.g., groundwater, depending on the nature or extent of the release(s). Again, EPA wishes to emphasize that the primary purpose of the NPL is to serve as an informational and management tool. Whether property is part of an NPL site is unrelated to CERCLA liability because neither NPL listing nor deletion assigns liability to any party or to the owner of any specific property. Liability under CERCLA is determined under CERCLA section 107, which makes no reference to NPL listing or deletion. Listing or deleting a site from the NPL does not create CERCLA liability where it would not otherwise exist. As with entire sites, deleted portions of sites remain eligible for further Fund- financed remedial actions should future conditions warrant such action. Whenever there is a significant release from a site or portion of a site deleted from the NPL, the site or portion may be restored to the NPL without application of the Hazard Ranking System. *See 40 CFR 300.425(e)(3).*

Dated: October 24, 1995.

Elliott P. Laws,

Assistant Administrator.

[FR Doc. 95-27069 Filed 10-31-95; 8:45 am]

BILLING CODE 6560-50-P

ATTACHMENT B
Partial NPL Site Deletion
Data Collection Form

Partial NPL Site Deletion
Data Collection Form

(Version 1.0, March 1996)

Site Name: _____

CERCLIS ID#: _____

Name of Deleted Portion: _____

Region: _____ State: _____

This form should be completed for all proposed deletions of releases at NPL sites. Include this form as part of the Notice of Intent to Delete (NOID) submitted to EPA Headquarters.